



Staff Report

STAFF REPORT DATE: May 22, 2019

HEARING DATE: May 29, 2019

TO: Interested Parties

FROM: Elena Sasin, Associate Planner

PROPOSAL: **Cedar Grove Multifamily**
ADJ2019-0009 / ADJ2019-0010 / DR2019-0057 / LD2019-0010

LOCATION: The site is located at 812 and 822 NW Murray Boulevard. Tax Lots 3500 and 3400 on Washington County Tax Assessor's Map 1N133DB

ZONING / NAC: TC-MU (Town Center – Multiple Use) / Five Oaks – Triple Creek

SUMMARY: The applicant, Community Partners for Affordable Housing ("CPAH"), requests approval of the following land use applications for a 44 unit multifamily development, on a site located south of NW Cornell Road, between NW Murray Boulevard and NW Joy Avenue: A Major Adjustment – Affordable Housing (ADJ2019-0009) application to exceed the standard maximum density in the zone, a Major Adjustment – Affordable Housing (ADJ2019-0010) application to reduce the standard parking ratio, a Design Review Type Three (DR2019-0057) application to construct a multifamily building, with associated site improvements and a Replat Two to reconfigure existing tax lots and include land that has never before been a part of a previously recorded plat.

PROPERTY OWNER: Washington County
Kristie Bollinger
169 N 1st Avenue
Hillsboro, Oregon 97124

APPLICANT: Community Partners for Affordable Housing (CPAH)
Jilian Saurage Felton, Director of Housing Development
6380 SW Capitol Highway
Portland, OR 97229

APPLICANT'S
REPRESENTATIVE: Carleton Hart Architecture
Melissa Soots
830 SW 10th Avenue #200
Portland, OR 97205

DECISION: **RECOMMENDATION OF APPROVAL of Cedar Grove
Multifamily ADJ2019-0009 / ADJ2019-0010 / DR2019-0057
/ LD2019-0010**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Application Deemed Complete	120-Day*	365-Day**
ADJ2019-0009	April 3, 2019	April 17, 2019	August 15, 2019	April 16, 2020
ADJ2019-0010	April 3, 2019	April 17, 2019	August 15, 2019	April 16, 2020
DR2019-0057	April 3, 2019	April 17, 2019	August 15, 2019	April 16, 2020
LD2019-0010	April 3, 2019	April 17, 2019	August 15, 2019	April 16, 2020

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, without a continuance, by which a final written decision on the proposal can be made.

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Existing Conditions Table

Zoning	Town Center – Multiple Use (TC-MU)	
Current Development	Vacant lot and billboard on tax lot 3500.	
Site Size & Location	The subject site is located south of NW Cornell Road, between NW Murray Boulevard and NW Joy Avenue. The site size is approximately 0.755 acres.	
NAC	Five Oaks – Triple Creek	
Surrounding Uses	Zoning: <u>North:</u> Washington County's TO:RC	Uses: <u>North:</u> Services Business, Minor Automotive Service and Retail
	<u>South:</u> Washington County's TO:RC	<u>South:</u> Service Business, Eating and Drinking Establishment
	<u>East:</u> Washington County's TO:RC	<u>East:</u> Service Business/Retail and multifamily residential
	<u>West:</u> Washington County's TO:RC	<u>West:</u> Retail
	TO:RC = Transit Oriented Retail Commercial District	

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<u>Attachment B:</u>	ADJ2019-0009 Major Adjustment – Affordable Housing (Density)	ADJD1-ADJD5
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Exhibits

Exhibit 1. Materials submitted by Staff

- Exhibit 1.1 Vicinity Map (page SR-6 of this report)
- Exhibit 1.2 Aerial Map (page SR-7 of this report)

Exhibit 2. Materials submitted by the Applicant

- Exhibit 2.1 Applicant's revised narrative addressing Design Guideline – Received May 22, 2019
- Exhibit 2.2 Submittal Package including plans – Received May 21, 2019

Exhibit 3. Agency Comments

- Exhibit 3.1 ODOT (in response to the Pre-Application Conference)
- Exhibit 3.2 Washington County
- Exhibit 3.3 Beaverton School District Email Dated April 29, 2019

Comment Summary

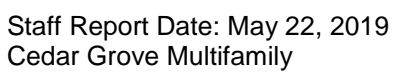
Beaverton School District's Executive Administrator for Long Range Planning, Steven Sparks, expressed concerns about the subject proposal, specifically regarding the Major Adjustment – Affordable Housing application for density. Mr. Sparks explains that, "this application will establish a process that the District cannot support since it will allow residential development to exceed the densities that are in the Comprehensive Plan upon which we [the Beaverton School District] have based our capacity formulas."

Staff's Response

The City of Beaverton's Adjustment and Variance applications do not include approval criteria requiring the demonstration of conformance to Comprehensive Plan goals or policies. The City of Beaverton's Comprehensive Plan does not prescribe specific density standards, but rather defers those details to the Development Code. Where there is no conflict between the plan and a zoning ordinance, the ordinance governs. The Development Code implements the Comprehensive Plan policy that calls for "medium to high residential densities" (Goal 3.6.3.d) within Town Centers. Furthermore, Goal 3.6.3.d encourages "a mix of housing types at different price ranges and sizes to create a more inclusive community", a goal that in this case would be challenging to meet without the proposed adjustment application. The Comprehensive Plan also recognizes the need for more flexibility for infill housing near transit that meet city goals for affordability (Goal 3.2.1.a.iv). The adjustment application offers that flexibility, consistent with the Comprehensive Plan goal.

Public Comment

No public comments received as of the date of Staff Report issuance.



Cedar Grove Multifamily
ADJ2019-0009 / ADJ2019-0010 / DR2019-0057 / LD2019-0010



**FACILITIES REVIEW COMMITTEE TECHNICAL
REVIEW AND RECOMMENDATIONS
Cedar Grove Multifamily
(ADJ2019-0009 / ADJ2019-0010 / DR2019-0057 / LD2019-0010)**

Section 40.03.1 Facilities Review Committee:

The Facilities Review Committee (Committee) has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria are reviewed for all criteria that are applicable to the submitted application as identified below:

- **All twelve (12) criteria are applicable to both the Design Review Three and Land Division (Replat Two) applications (DR2019-0057 and LD2019-0010).**
- **The Facilities Review Committee Criteria for Approval are not applicable to the submitted Major Adjustment – Affordable Housing applications (ADJ2019-0009 and ADJ2019-0010).**
- A. All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.**

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes, or can be improved to have, necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Public Water, Sanitary Sewer and Storm

The City of Beaverton is the sanitary sewer and storm drainage provider. Tualatin Valley Water District is the water provider for the site. Water is made available from existing 6-inch diameter water mains located within NW Joy Avenue, directly east of the subject site. The applicant's plans show connections to these existing water mains in NW Joy Avenue. City of Beaverton sanitary and sewer lines are available in NW Murray Boulevard. The applicant's plans show sanitary sewer lines are also available within NW Joy Avenue and NW Cornell Road. The applicant's plans show a planned

storm sewer connection to a main in NW Murray and a planned sanitary sewer connection in NW Joy Avenue. Stormwater runoff for the site is proposed to be treated in a vegetated LIDA (Low Impact Development Approach) facility, located in the southwest corner of the site, prior to being released into the surrounding public stormwater system in NW Murray Boulevard. The applicant has submitted a Service Provider Letter from Clean Water Services (CWS).

The Facilities Review Committee in review of the proposal has determined that by meeting the conditions of approval at the end of this report, this proposal does not impact the level of facilities and services available. The capacity of the existing systems is adequate to support the increase uses of these critical facilities.

Transportation

The subject site is adjacent to existing Washington County maintained right-of-ways; NW Murray Boulevard to the west, NW Cornell Road to the north and NW Joy Avenue to the east. Both NW Murray and NW Cornell Road are identified as arterial streets and NW Joy is identified as a local street, in the Beaverton Comprehensive Plan Chapter 6: Transportation Element.

The applicant's submitted plans show that the existing right-of-way travel lane widths will be retained on all streets, however, three feet of additional right-of-way dedication is required and proposed along NW Joy Avenue to accommodate a sidewalk design consistent with City of Beaverton standards. The sidewalks along NW Murray Boulevard and NW Cornell have an existing width of 10 feet or greater. However, the existing tree wells on NW Murray Boulevard are larger than the City's standard tree wells and limit the unobstructed path to approximately four (4) feet where five (5) feet is required. The applicant's plans show limited improvements to the sidewalk along NW Murray Boulevard resulting in a curb-tight sidewalk having a minimum unobstructed width of five (5) feet. Vehicular access to the site will be provided off of NW Joy Avenue. The one-way onsite parking lot drive aisle will also exit onto NW Joy Avenue. Bike lanes currently exist along the site's frontage on both NW Murray Boulevard and NW Cornell Road. Bike lanes are not required nor proposed along NW Joy Avenue, a Local road.

A traffic impact analysis is not required with this proposal as the project is expected to generate fewer trips than those generated by previous uses on the site. The applicant submitted a Parking and Trip Generation Assessment Report dated March 8, 2019, prepared by a certified Professional Engineer and Professional Traffic Operations Engineer, Frank Charbonneau of Charbonneau Engineering, LLC. The report states that formerly, several business establishments and residences were contained on the site, including a 22,189 square foot shopping center, 1,124 square foot fast-food restaurant, and eight apartment units. These facilities were used in making a trip generation comparison to the proposed development which is expected to generate approximately 322 trips per day, 1,104 fewer trips than those associated with the previous uses on the site.

The Oregon Department of Transportation (ODOT) submitted comments during the Pre-Application review, dated November 6, 2018 which recommended a condition of approval that the applicant submit a traffic impact analysis to assess the impacts of the proposed use on the State highway system. For the reasons explained above, the Facilities Review Committee finds that a traffic impact analysis is not required nor warranted.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue (TVF&R). TVF&R has reviewed the proposal and provided conditions of approval in their Service Provider Letter, submitted with the applicant's materials, specific to this development proposal, including the need for a Knox Box for building access and fire protection equipment identification. Staff incorporates the conditions of approval provided by TVF&R as part of the proposed conditions of approval. By meeting the conditions of approval, the proposal will meet TVF&R requirements, which will be verified at the time of Site Development Permit issuance.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.

- B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.**

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant's plans and materials were shared with Beaverton School District, Tualatin Hills Park and Recreation District (THPRD), City Transportation staff and City Police Department.

Schools

The proposed development is for a multifamily building consisting of 44 units and ancillary spaces and uses. The applicant's materials include a service provider letter from the Beaverton School District, dated December 20, 2018 which states that the District believes there will be sufficient capacity to accommodate new students from the project. The applicant states that the site is less than one mile from Terra Linda Elementary School, William Walker Elementary School, Timberland Middle School and Sunset High School.

Transit Improvements

The proposed site is located in an area well-served by bus service, at the intersection of line 48 which runs between Hillsboro Transit Center and Sunset Transit Center and line 62 which runs between Washington Square and Sunset Transit Center. A bus stop for line 62 is adjacent to the site near the southwest corner, along NW Murray Boulevard. There are approximately 10 bus stops within a quarter-mile of the subject site.

Police

To the date of this report Beaverton Police have not provided comments or recommendations to the Committee. Beaverton Police will serve the development site and any comments will be shared with the applicant.

Pedestrian and Bicycle Facilities

The sections of NW Murray and NW Cornell adjacent to the subject site are developed with sidewalks and delineated bike lanes. NW Joy does not currently provide sidewalks, however, the applicant's plans show a 10-foot wide sidewalk, with the right-of-way dedication of 3 feet, proposed along NW Joy. Bike lanes on NW Joy are not proposed nor required for the local street. The applicant is proposing at least one (1) long-term bicycle space per unit, within the unit, four (4) additional long-term spaces are provided within a bicycle storage closet and six (6) short-term bicycle spaces near the primary entrance, exceeding minimum bicycle requirements identified in Parking Ratio Requirements outlined in Section 60.30.10.5.B of the Beaverton Development Code.

As noted above, the applicant's plans show the construction of the required sidewalk along NW Joy Avenue and improvements to the sidewalk along NW Murray Boulevard, resulting in a curb-tight sidewalk having a minimum unobstructed width of five (5) feet.

Parks

The site will be served by the Tualatin Hills Park and Recreation District (THPRD). The applicant's materials were shared with THPRD who have not provided comments or recommendations to the Facilities Review Committee. The applicant states that the northern plaza adjacent to NW Cornell Road is intended for public use through a pending operational agreement with THPRD.

The Committee has reviewed the proposal and has found that the essential facilities and services to serve the site are adequate to accommodate the proposal as conditioned.

Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.

C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved

or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).

The Committee cites the Code Conformance Analysis chart at the end of the Facilities Review Report, which evaluates the project as it relates to applicable code requirements of Chapter 20 for the Town Center – Multiple Use (TC-MU) zone, and as applicable to the aforementioned criterion. As demonstrated in the chart, the development proposal meets all applicable standards, or can be made to comply, by meeting the conditions for approval as identified for the applicable approval criteria.

Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.

D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, as applicable to the above mentioned criteria. Staff will provide findings for the applicable Design Review Standards and Guidelines (Code Section 60.05) within the Design Review section of the staff report.

Off-Street Parking (Section 60.30)

The standard parking ratio for attached residential buildings within multiple use zones is one (1) space per unit. For a 44-unit multifamily building, the applicant is proposing 30 on-site vehicle parking spaces. To request a reduction to the required parking spaces, the applicant has submitted a Major Adjustment – Affordable Housing application. The applicant states that the request is based on findings at other affordable housing developments within the City of Beaverton with similar unit types, as outlined in the Parking and Trip Generation Assessment Report dated March 8, 2019. The report concludes a parking ratio of 0.68 per unit is consistent with other comparable developments. The request for the parking reduction will be fully evaluated in the Major Adjustment – Affordable Housing portion of the staff report. The design of the building and site improvements will be fully evaluated in the Design Review portion of the staff report.

Street and Bicycle and Pedestrian Connection Requirements (Section 60.55.25)

As described above in response to Criterion A, the subject site is located between two arterials (NW Murray Boulevard and NW Cornell Road) and one local street (NW Joy Avenue). Additional right-of-way dedication is not required along NW Murray or NW Cornell, however, NW Joy requires three (3) additional feet of right-of-way dedication to accommodate a 10-foot wide sidewalk. To ensure adequate right-of-way widths, the Facilities Review Committee recommends a condition of approval requiring the three (3) foot right-of-way dedication be shown on plans prior to Site Development permit issuance. Furthermore, the current 10-foot wide sidewalk located along NW Murray Boulevard contains large tree wells which exceed the maximum tree well standard outlined in the Engineering Design Manual, limiting the unobstructed walkway width to approximately four (4) feet. The applicant's plans show limited improvements to the sidewalk along NW Murray Boulevard resulting in a curb-tight sidewalk having a minimum unobstructed width of five (5) feet. The existing and proposed sidewalks are shown to connect to the existing public circulation system in a safe and efficient manner. For the proposed use, two (2) short-term and 44 long-term bicycle parking spaces are required. The applicant has proposed six (6) short-term spaces and 60 long-term spaces, exceeding the requirements. The applicant's plans show the proposed location of three (3) staple-like racks in the northern plaza area for short-term spaces which will provide for six (6) bicycles, conveniently located near the a main point of entry and public sidewalk. The Committee recommends a condition of approval requiring the applicant to demonstrate compliance with Section 340 of the Engineering Design Manual, Bicycle Parking Standards, specifically the bike rack install dimensions and bicycle facility design for the long-term bike storage closet.

Transportation Facilities (Section 60.55)

As noted above in the response to Facilities Review Criterion A, the subject site is adjacent to three (3) existing streets, two of which provide sidewalks and bicycle lanes. Furthermore, the proposal includes improvements to the sidewalk along NW Murray Boulevard to accommodate a five (5) foot wide unobstructed walkway, and by constructing a minimum 10-foot wide sidewalk along NW Joy Avenue, the development will provide the required transportation facilities needed for the proposed use. Two vehicular driveways are proposed along NW Joy Avenue, for a one-way on-site circulation pattern.

Utility Undergrounding (Section 60.65)

To meet the requirements of Section 60.65, the Committee recommends a standard condition of approval requiring that utility lines are placed underground.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

E. Adequate means are provided or can be provided to ensure continued

periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.

The applicant states that as proposed, the development can ensure continued periodic maintenance and necessary normal replacement of private common facilities and areas, such as: drainage facilities, driveway access, right-of-way improvements, structures, landscaping, screening, ground cover, and the garbage and recycling storage area. The applicant explains that maintenance and storage areas are included on each floor of the building for ease of use by maintenance staff and that Cedar Grove and Community Partners for Affordable Housing (CPAH) are required by funding sources to carry reserves for replacement and maintenance.

The proposal, as designed, will not preclude adequate maintenance of the proposed facilities. Staff concurs that the property can be maintained by the property owner in accordance with the requirements of the City of Beaverton.

Therefore, the Committee finds that the proposal meets the criterion for approval.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

In review of Criterion F, staff incorporates the findings prepared in response to A, B and D above. The applicant proposes to maintain or improve existing adjacent right-of-ways, including the construction of a sidewalk along NW Joy Avenue.

The applicant's plans show multiple points of access to the adjacent sidewalk and street system. The primary entrance to the building faces NW Cornell (northern elevation). A public plaza with seating and a fountain is proposed between the sidewalk on NW Cornell and the primary building entrance. A secondary entrance is located on the southern elevation, facing the onsite parking lot. This entrance is also adjacent to open space which includes a play area and seating. A five (5) foot wide walkway connects the secondary entrance and open space to the sidewalk on NW Joy Avenue. Some internal walkways, appear to be narrower than the required minimum of five (5) feet as outlined in Section 60.05.20.3.F of the Development Code, specifically the walkway adjacent to the southern entrance and the northeastern stairs connecting the public plaza to NW Cornell Road. Therefore, the Committee recommends a condition of approval that all pedestrian walkways have a minimum unobstructed width of five (5) feet, consistent with Section 60.05.20.3.F.

In review of the plan, the Committee finds that by meeting the conditions of approval, the site will have safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

In review of Criterion G, staff incorporates the findings prepared in response to A, B and D above, including conditions. The applicant's plans show the proposed pedestrian circulation systems will connect with the surrounding circulation system in a safe, efficient and direct manner. The applicant states that the onsite vehicular system has been designed with ingress and egress to the street with the lowest use (NW Joy Avenue). The proposed parking lot has been design to provide adequate circulation for passenger vehicles, but not delivery vehicles. Staff recommend a condition that signage be placed at the entrance of the parking lot stating truck access is prohibited. Further staff recommend "do not enter" signs are place that the exit of the parking lot to ensure conflicts do not occur with vehicles entering the wrong access point.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

The applicant states the structures and public facilities serving the development have been designed in accordance with applicable codes and regulations and provide adequate fire protection. The building will have a sprinkler system and one-hour fire separation will be provided between dwelling units and between occupancy types, as required by the Building Code.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue (TVF&R). TVF&R has reviewed the proposed development and has provided conditions of approval. TVF&R requirements, will be verified at the time of Site Development Permit issuance. The proposal will also need to show compliance to the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with other TVF&R standards.

Therefore, the Committee finds that by meeting the conditions of

approval the proposal meets the criterion for approval.

- I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.**

The applicant identifies specific design features and standard that could help provide protection from crime and accidents, such as the building design incorporating massing arrangements, which increase natural surveillance, adequate lighting provisions, and compliance with life-safety code provisions.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

Therefore, the Committee finds that the proposal meets the criterion for approval.

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant states that grading activity for the proposed development will be minimized and will not adversely impact neighboring properties, public rights-of-way or public conveyance facilities, either during construction or post-development because all storm water will be directed to conveyance systems. A preliminary grading and erosion control plan is included with the application package. The applicant's plans show that the existing site is relatively flat and that minimal grading is proposed. The most significant grade changes are proposed within the southwest corner of the site in order to accommodate an approximately 1,700 square foot onsite Low Impact Development Approach (LIDA) stormwater treatment facility. The applicant states that this stormwater facility will manage all runoff from the building, parking area, and plazas. The stormwater management system has been design to exceed the requirements of Beaverton and CWS to meet HUD and NOAA standards, meaning it will discharge less stormwater into the City system than a typical development of its scale.

The applicant has submitted a Preliminary Storm Water Report, dated March 20, 2019. The report was prepared by Humber Design Group Inc. and certified by William Brannan, a registered professional engineer. The report demonstrates compliance with existing regulations and quantifies the runoff from the site. Stormwater leaving the site will be conveyed west of the site to the existing 24-inch stormwater line in NW Murray Road.

The Facilities Review Committee has reviewed the proposed grading and Storm Report, and has identified recommended standard conditions of approval. These recommended conditions are necessary to ensure the proposed site work will be in compliance with adopted codes and standards and to ensure the proposal will not have an adverse impact to surrounding properties. Clean Water Services (CWS) has reviewed the proposal and has provided a Sensitive Area Pre-Screening Site assessment and has indicated that sensitive areas do not appear to exist on or within 200 feet of the site. CWS did not include conditions of approval as part of this assessment.

Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

The applicant will be required to meet all applicable accessibility standards of the Uniform Building Code, the Uniform Fire Code, and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee finds that as proposed, it appears that the general site layout can meet accessibility requirements. Accessibility is thoroughly evaluated through the site development and building permitting reviews. This requirement is in conformance with the Development Code.

Some onsite pathways appear to be narrower than the required minimum of five (5) feet, therefore, the Committee recommends a condition of approval that all pedestrian walkways have a minimum unobstructed width of five (5) feet, consistent with Section 60.05.20.3.F.

Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the criterion for approval.

L. The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.

The application was submitted on April 4, 2019. The application was deemed complete on April 17, 2019. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee finds that the proposal meets the criterion for approval.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Town Center – Multiple Use (TC-MU) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.20.20 (Town Center – Multiple Use)			
Use - Permitted	Residential Dwelling: Attached	The applicant proposes a 44-unit residential building.	Yes
Use - Permitted	Recreation: Public Parks, Parkways, Playgrounds, and Related Facilities	The applicant proposes the northern onsite plaza to be for public use through a pending operational agreement with THPRD.	Yes
Development Code Section 20.20.15 (Town Center – Multiple Use)			
Minimum/Maximum Lot Area	None	The subject site currently consists of two separate lots. The applicant proposes to consolidate the two tax lots, 3400 and tax lot 3500 of Washington County's Tax Assessor's map 1N133DB, resulting in a 0.755 (32,893 square foot) lot.	Yes
Residential Density (per acre) Min: 24/acre Max: 40/acre	Min: 24 spaces x0.755=18 Max: 40 spaces x0.755=30	The applicant proposes 44 units on a 0.755 acre site, exceeding the standard maximum of 30 units. The applicant has submitted a Major Adjustment – Affordable Housing application, requesting to exceed the maximum density by 47%.	See ADJ2019- 0009 Findings
Minimum Lot Dimensions	None	N/A	N/A
Minimum Yard Setbacks Front Side Rear	0 ft. 0 ft. 0 ft.	All setbacks will meet the 0 foot setback minimum.	Yes
Maximum Front Yard Setback with Ground Floor Residential	5 ft.	The applicant's plans show that portions of the 'H' shaped building are located within 5 feet of the front property line.	Yes

Maximum Building Height	60 feet	48 feet.	Yes
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Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	A project meeting the Design Review Two thresholds which does not meet an applicable design standard is subject to a Design Review Three process. The applicant has elected to address a combination of Design Standards and Guidelines for the proposed multifamily, residential building, therefore has submitted an application for Design Review Three.	Refer to DR2019-0057 findings
Development Code Section 60.30			
Off-street motor vehicle parking	<u>Attached Dwellings</u> Min: 1 per unit = 44 spaces Max: 1.8 per unit for one bedroom units 2.0 per unit for two or more bedroom units	The applicant is proposing 30 parking spaces for 44 units. The applicant has submitted a Major Adjustment – Affordable Housing application for the request to reduce the required onsite parking.	Refer to ADJ2019-0010 findings
Required Bicycle Parking Short Term and Long Term	<u>Short term:</u> 2 spaces <u>Long Term:</u> 44 spaces	<u>Short term:</u> 6 spaces <u>Long Term:</u> 60 spaces (56 in-unit and four in a bike storage closet)	Yes
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Annexation to THPRD	The applicant states that the property is located within THPRDs district therefore annexation is not necessary.	N/A
Development Code Section 60.55			
Transportation	Regulations	Refer to Facilities Review Committee	

Facilities	pertaining to the construction or reconstruction of transportation facilities.	findings herein. The subject site is located between two existing developed arterials (NW Murray Boulevard and NW Cornell Road) and one local street (NW Joy Avenue). Additional right-of-way dedication is not required along NW Murray or NW Cornell, however, NW Joy requires three (3) additional feet of right-of-way dedication to accommodate a minimum 10-foot wide sidewalk. Furthermore, the current 10-foot wide sidewalk located along NW Murray Boulevard contains large tree wells which exceed the maximum tree well standard outlined in the Engineering Design Manual, limiting the unobstructed walkway width to approximately four (4) feet. The applicant's plans show limited improvements to the sidewalk along NW Murray Boulevard resulting in a curb-tight sidewalk having a minimum unobstructed width of five (5) feet. To ensure adequate sidewalk widths, the Facilities Review Committee recommends a condition of approval requiring the three (3) foot right-of-way dedication be shown on plans prior to Site Development permit issuance. The existing and proposed sidewalks are shown to connect to the existing public circulation system in a safe and efficient manner. Existing bike lanes are provided on NW Murray Boulevard and NW Cornell. Bike lanes are not proposed or required on NW Joy Avenue, a local street.	Yes, w/COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Removal of one Landscape Tree located within the southeast corner of the site is proposed.	See DR2019-0057 Findings

Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	<p>The applicant states that one pole near the center of NW Joy Avenue appears to have communication, cable and electric utilities, and another pole is located adjacent to the south property line. Utilities will be relocated underground along the site frontage. The applicant propose leaving the south pole in place as it serves power only to the property to the south and to a billboard that will be removed. The applicant explains that leaving the pole in place at the property line serves as a transition point from underground service to the overhead service remaining down the street. New utilities installed to serve the site will also be located underground.</p> <p>The Committee proposes a standard condition of approval to ensure utility undergrounding complies with Section 60.65.</p>	Yes, w/ COA
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to Significant Natural Resources	The applicant has provided a Sensitive Area Pre-Screening Site Assessment from CWS. No sensitive areas were identified to be located on or within 200 feet of the subject site.	N/A

ADJ2019-0009
ANALYSIS AND FINDINGS FOR
MAJOR ADJUSTMENT – AFFORDABLE HOUSING APPROVAL (DENSITY)

Section 40.10.05 Adjustment Applications; Purpose

The purpose of an Adjustment application is to provide a mechanism by which certain regulations in the Development Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.

Section 40.20.15.4.C Approval Criteria: In order to approve a *Major Adjustment – Affordable Housing* application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Major Adjustment – Affordable Housing application.*

The proposal meets the Beaverton Development Code's definition of "Regulated Affordable Housing" and is therefore eligible for the Major Adjustment – Affordable Housing application. The applicant has provided a copy of a Notice of Fund Availability Reservation Letter from the State of Oregon (dated August 24, 2018), on behalf of the State's Housing and Community Services Department ("OHCS"). The applicant requests approval of an adjustment to increase the numerical Maximum Density requirement in Chapter 20 by 47% from 30 units to 44 units. The zone is TC-MU (Town Center – Multiple Use) which is not a residential zone. No height adjustment is requested.

The following threshold is met:

1. For eligible regulated affordable housing developments, an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirement specified in Chapter 20 (Land Uses) except for height standards, which shall be limited to a 25% adjustment. Density shall be limited to a 25% adjustment in Residential Zoning Districts. This threshold does not apply to adjustment requests for height where credits have been earned for height increase through Habitat Friendly Development Practices, as described Section 60.12.40.4., .5., .6., and .7.

Therefore, staff finds that the criterion is met.

2. *The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.*

The applicant has provided all applicable submittal requirements as specified in Section 50.25.1 (Application Completeness). There are no fees for Major Adjustment – Affordable Housing applications.

Therefore, staff finds that the criterion is met.

3. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.*

The applicant's plans show that the adjustment to density will not obstruct pedestrian or vehicular movement. The subject site is shown to be accessible to pedestrians, bicyclists and vehicles. Sidewalks exist on NW Murray Boulevard and NW Cornell Road and the applicant's plans show a three-foot dedication along NW Joy Avenue to accommodate a ten-foot wide sidewalk. Internal walkways are provided on the south and north of the building, connecting pedestrians to the main points of entry. Pedestrian and vehicular movement and connections are evaluated in greater detail herein, see Section 40.03 Facilities Review, Section 60.05 Design Review and Sections 60.30 Off-Street Parking and 60.55 Transportation Facilities.

Therefore, staff finds the criterion is met.

4. *If more than one adjustment and/or variance is being requested concurrently, the cumulative effect of the modifications will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.*

This adjustment for density is being requested in conjunction with an adjustment to reduce the required number of parking spaces. The applicant states that the cumulative effect of the adjustments is consistent with the overall purpose of the TC-MU zoning district. The scale of the building, its relationship to surrounding buildings and streets, and the placement of the parking on site supports the goal of developing Cedar Mill as a regional center. The proposed modification provides increased density in the number of housing units on the site but remains below the height allowed per the RC-MU zoning district (60 feet). It also exceeds the standard for open space and provides a public amenity by including a plaza with a water feature. The proposal addresses housing needs in the area while maintaining the physical characteristics outlined for the TC-MU district in the Development Code.

The Beaverton Development Code states that the purpose of the Town Center – Multiple Use district (TC-MU) is to primarily permit “office, retail, and service uses. Also Permitted are multiple use developments and residential development with a minimum density requirement. Industrial uses are limited to light manufacturing uses” (Section 20.20.10.6). The TC-MU zoning district implements the underlying Comprehensive Plan Designation of Town Centers. The Comprehensive Plan Goal 3.6.3 states that Town Centers provide for a compact, integrated mix of uses that create a complete community and support walking and biking. The Comprehensive Plan also outlines several policies that support the adjustment request, for example policy 3.6.3.d states:

“Provide housing at medium to high residential densities, especially adjacent to commercial areas and open space, so that as many residents as possible have convenient walking access to these amenities.”

And policy 3.6.3.e:

“Provide a mix of housing types at different price ranges and sizes to create a more inclusive community.”

The Comprehensive Plan also recognizes the need for more flexibility for infill housing near transit that meet city goals for affordability (Goal 3.2.1.a.iv). The adjustment application offers that flexibility, consistent with the Comprehensive Plan goal.

Staff finds the proposal addresses housing needs by requesting to increase the density to provide more affordable housing units, and reducing the standard parking ratio, while being consistent with the overall purpose of the TC-MU district, a multiple use zoning district which the Beaverton Development Code states are intended to “establish varied levels of residential and commercial uses, supporting transit and pedestrian oriented development with minimum density and intensity requirements” (Section 20.20.05).

Therefore, staff finds the criterion is met.

5. *The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.*

The applicant states that the proposed development provides additional features to support the growth of the Cedar Mill neighborhood as a regional town center. A plaza opening onto the public sidewalk along NW Cornell Road includes pedestrian amenities such as landscape planters at seat height, decorative lighting, and a water feature designed as a tunnel of jets for children to play in. CPAH is currently working with Tualatin Hills Parks and Recreation District (THPRD) to give THPRD an easement to operate the plaza as a public park. The development also provides environmental mitigation beyond what is required by code. A stormwater management planter at the southwest end of the site will manage all runoff from the building, parking area, and plazas. The stormwater management system exceeds the requirements of Beaverton and CWS to meet HUD and NOAA standards, meaning it will discharge less stormwater into the City system than a typical development of its scale. The applicant further explains that the building design is based on its neighborhood context. Instead of developing a typical “O” or “C” shaped plan that puts long walls along all street frontages, the proposal (Cedar Grove) is designed in plan as a skewed “H” shape. The skewed sides of the “H” allow the building to align with both NW Murray Boulevard and NW Joy Avenue, providing an improved pedestrian experience on both streets. The center of the “H” provides two plazas, one intended to be a public amenity as described above, and a second plaza to the south to provide a play and picnic area for residents similar in use to a single-family home’s backyard. The different character of these two plazas is reinforced through the building design. Storefront glazing and a greater level of building articulation faces the public plaza, while the resident plaza is more sedate in treatment. The heightened building articulation along Cornell Road wraps the corners toward Murray Boulevard and Joy Avenue and signifies the building as a gateway at the entrance of the Cedar Mill neighborhood.

Furthermore, staff finds that the proposed height of the building, which is approximately 12 ½ feet less than permitted in the zoning district compensates for some of the requested

adjustment having less of a visual impact than a 60 foot tall building while providing more than 30 units. As mentioned above, the proposal also includes a plaza adjacent to a public right-of-way that the applicant anticipates will be made accessible to the public. The proposal also provides more than the minimum required percentage of landscaping, and significantly more trees than required, as addressed herein under the Design Review section of the report.

Therefore, staff finds the criterion is met.

- 6. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.***

Staff cites the Code Conformance Analysis chart in the Facilities Review section of this report for the TC-MU zoning district, as applicable to the above-mentioned criteria. As demonstrated on the chart, the proposal meets the Site Development standards, with the exception of the maximum density, for which this Major Adjustment – Affordable Housing request is being made.

Therefore, staff finds the criterion is met.

- 7. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff cites the Code Conformance Analysis chart at the end of Section A, herein, which evaluates the project as it relates the applicable Code requirements of Chapter 60 for the Town Center – Multiple Use (TC-MU) zoning district, and the applicable Design Review Three and Replat Two Chapter 60 requirements, as applicable to the above mentioned criteria. Based on the findings included therein, staff finds that the proposal is consistent, or can be made consistent through conditions of approval, with all applicable provisions of Chapter 60.

Therefore, staff finds the criterion is met.

- 8. *In the case of an adjustment to the numerical requirements contained in Section 60.30. (Off-Street Parking), any part of the site of the proposed development shall be connected by a public route that is no longer than one-quarter mile from a bus transit stop that has 20-minute or more frequent peak-hour transit service or connected by a public route that is no longer than one-half mile to a light-rail platform. Alternatively, the application shall provide a parking analysis demonstrating that the actual parking needs of the development can be accommodated onsite. The parking analysis shall include examples from at least***

two other comparable developments. Additional examples may be required by the City Engineer or designee.

An adjustment to parking is not being sought through this Major Adjustment – Affordable Housing request to adjust density.

Therefore, staff finds the criterion is not applicable.

9. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency.

The applicant states that as proposed, the development can ensure continued periodic maintenance and necessary normal replacement of private common facilities and areas, such as: drainage facilities, driveway access, right-of-way improvements, structures, landscaping, screening, ground cover, and the garbage and recycling storage area. Maintenance and storage areas are included on each floor of the building for ease of use by maintenance staff. Cedar Grove and Community Partners for Affordable Housing (CPAH) are required by funding sources to carry reserves for replacement and maintenance. The condition of CPAH's existing developments such as The Barcelona and Spencer House in Beaverton, The Knoll at Tigard and The Watershed at Hillsdale show the organization's commitment to preserving the quality of its development over time.

Staff finds that the applicant will be able to provide continued maintenance and necessary replacement of facilities.

Therefore, staff finds the criterion is met.

- 10. *If the proposal includes lot area averaging as specified in Section 20.05.15.D, the request for the Major Adjustment – Affordable Housing is not for an adjustment to minimum land area standards.***

The proposal does not include lot area averaging as specified in Section 20.05.15.D nor does the proposal include a request to adjust the minimum land area standards.

Therefore, staff finds the criterion is not applicable.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **ADJ2019-0009 Cedar Grove Multifamily** subject to the applicable conditions identified in Attachment F.

**ADJ2019-0010
ANALYSIS AND FINDINGS FOR
MAJOR ADJUSTMENT – AFFORDABLE HOUSING APPROVAL (PARKING)**

Section 40.10.05 Adjustment Applications; Purpose

The purpose of an Adjustment application is to provide a mechanism by which certain regulations in the Development Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.

Section 40.20.15.4.C Approval Criteria: In order to approve a *Major Adjustment – Affordable Housing* application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Major Adjustment – Affordable Housing application.*

The proposal meets the Beaverton Development Code's definition of "Regulated Affordable Housing" and is therefore eligible for the Major Adjustment – Affordable Housing application. The applicant has provided a copy of a Notice of Fund Availability Reservation Letter from the State of Oregon (dated August 24, 2018), on behalf of the State's Housing and Community Services Department ("OHCS"). The applicant requests approval of an adjustment to reduce the numerical parking ratio in 60.30.10 from a ratio of 1 space per 1 unit to 0.68 spaces per 1 unit.

The following threshold is met:

- 3. For eligible regulated affordable housing developments, any change from the numerical requirements contained in Section 60.30. (Off-Street Parking).*

Therefore, staff finds that the criterion is met.

2. *The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.*

The applicant has provided all applicable submittal requirements as specified in Section 50.25.1 (Application Completeness). There are no fees for Major Adjustment – Affordable Housing applications.

Therefore, staff finds that the criterion is met.

3. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.*

The applicant's plans show that the adjustment to the parking ratio will not obstruct pedestrian or vehicular movement. The subject site is shown to be accessible to

pedestrians, bicyclists and vehicles. Sidewalks exist on NW Murray Boulevard and NW Cornell Road and the applicant's plans show a three-foot dedication along NW Joy Avenue to accommodate a ten-foot wide sidewalk. Internal walkways are provided on the south and north of the building, connecting pedestrians to the main points of entry.

The parking lot is designed with access from only from NW Joy Avenue to avoid conflicts with the more heavily trafficked NW Murray Boulevard and NW Cornell Road. Pedestrian and vehicular movement and connections are evaluated in greater detail herein, see Section 40.03 Facilities Review, Section 60.05 Design Review and Sections 60.30 Off-Street Parking and 60.55 Transportation Facilities.

Therefore, staff finds the criterion is met.

4. *If more than one adjustment and/or variance is being requested concurrently, the cumulative effect of the modifications will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.*

This adjustment to the standard parking ratio is proposed in conjunction with an adjustment to increase the maximum density of residential use. The applicant states that the cumulative effect of the adjustments is consistent with the overall purpose of the TC-MU zoning district. The applicant explains that the scale of the building, its relationship to surrounding buildings and streets, and the placement of the parking on site supports the goal of developing Cedar Mill as a regional center. The applicant further explains that providing a 1:1 parking ratio would result in a site that is overburdened with parking and is not pedestrian friendly and that a 1:1 parking ratio would not support the regional center vision expressed in designating the site as a Town Center – Mixed Use zone.

The Beaverton Development Code states that the purpose of the Town Center – Multiple Use district (TC-MU) is to primarily permit “office, retail, and service uses. Also Permitted are multiple use developments and residential development with a minimum density requirement. Industrial uses are limited to light manufacturing uses” (Section 20.20.10.6). The proposal is consistent with the intent of the TC-MU zoning district which permits residential developments so long as a minimum density is accomplished.

Furthermore, the TC-MU zoning district implements the underlying Comprehensive Plan Designation of Town Centers. The Comprehensive Plan Goal 3.6.3 states that Town Centers provide for a compact, integrated mix of uses that create a complete community and support walking and biking. The applicant's proposal to increase density and reduce parking is consistent with this overall goal by providing a compact use on the site and emphasizing walking and biking. The Comprehensive Plan also outlines several policies that support the adjustment request, for example policy 3.6.3.d states:

“Provide housing at medium to high residential densities, especially adjacent to commercial areas and open space, so that as many residents as possible have convenient walking access to these amenities.”

And policy 3.6.3.e

“Provide a mix of housing types at different price ranges and sizes to create a more inclusive community.”

The Comprehensive Plan also recognizes the need for more flexibility for infill housing near transit that meet city goals for affordability (Goal 3.2.1.a.iv). The adjustment application offers that flexibility, consistent with the Comprehensive Plan goal.

Staff finds the proposal addresses housing needs by requesting to increase the density to provide more affordable housing units, and reducing the standard parking ratio, while being consistent with the overall purpose of the TC-MU district, a multiple use zoning district which the Beaverton Development Code states are intended to “establish varied levels of residential and commercial uses, supporting transit and pedestrian oriented development with minimum density and intensity requirements” (Section 20.20.05).

Therefore, staff finds the criterion is met.

5. *The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.*

Staff finds that the applicant’s proposal to exceed the minimum required number of short and long term bicycle parking spaces coupled with the location of the project site, between three streets, in close proximity to several bus stations and grocery store within walking distance, compensate for the request to reduce the parking ratio.

Furthermore, the applicant states that the design of Cedar Grove emphasizes the potential of the area for pedestrian, bicycle and transit as primary modes of transportation. The applicant explains that a public plaza (CPAH is currently working with Tualatin Hills Parks and Recreation District to give THPRD an easement to operate the plaza as a public park) along the NW Cornell Road frontage creates a pleasant reprieve after traversing what is currently an auto-centric intersection. The plaza includes bicycle parking, planting areas, decorative lighting, decorative ground surfacing, and a water feature designed for interaction. The applicant states that the landscape design along NW Murray Boulevard and adjacent to a bus stop includes dense plantings along the sidewalk edge and a large area of stormwater plantings. The combined effect of these landscaping improvements minimizes the visual appearance of the parking area. The applicant further states that the proposed design is in stark contrast to the previous use of the site which included parking lots along all three street frontages with very little landscaping.

Therefore, staff finds the criterion is met.

6. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.*

Staff cites the Code Conformance Analysis chart in the Facilities Review section of this report for the TC-MU zoning district, as applicable to the above-mentioned criteria. As

demonstrated on the chart, the proposal meets the applicable Site Development standards, with the exception of the maximum density, for which this Major Adjustment–Affordable Housing request is being made.

Staff recommend a condition of approval that the request for the adjustment to density (ADJ2019-0009) be approved to ensure compliance with approval criterion 40.20.15.4.C.6 of ADJ2019-0010.

Therefore, staff finds that by meeting the condition of approval, the criterion is met.

- 7. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff cites the Code Conformance Analysis chart at the end of Section A, herein, which evaluates the project as it relates the applicable Code requirements of Chapter 60 for the Town Center – Multiple Use (TC-MU) zoning district, and the applicable Design Review Three and Replat Two Chapter 60 requirements, as applicable to the above mentioned criteria. Based on the findings included therein, staff finds that the proposal is consistent, or can be made consistent through conditions of approval, with all applicable provisions of Chapter 60.

Therefore, staff finds the criterion is met.

- 8. *In the case of an adjustment to the numerical requirements contained in Section 60.30. (Off-Street Parking), any part of the site of the proposed development shall be connected by a public route that is no longer than one-quarter mile from a bus transit stop that has 20-minute or more frequent peak-hour transit service or connected by a public route that is no longer than one-half mile to a light-rail platform. Alternatively, the application shall provide a parking analysis demonstrating that the actual parking needs of the development can be accommodated onsite. The parking analysis shall include examples from at least two other comparable developments. Additional examples may be required by the City Engineer or designee.***

The applicant requests an adjustment to numerical requirements contained in section 60.30 (Off-Street Parking) as part of the proposal. As required by criterion 8, the applicant has submitted a parking study of three comparable sites. The Parking and Trip Generation Report dated March 8, 2019 and prepared by a Professional Registered Engineer, Frank R. Charbonneau, examined Barcelona Apartments, Spencer House Apartments and Bridge Meadows Apartments. In the report, Mr. Charbonneau explains that the parking surveys were performed at each of the existing sites on weekday evenings during the hours specified by the City, between 5PM and 10PM. Inventories included counting the number of vehicles parked within the lot and on the adjacent streets. The data was recorded every 15 minutes with the number of parked vehicles

tallied. For the three sites combined the parking ratio based on the maximum parking demand was 0.68 cars per unit. Application of this rate equates to 30 spaces needed at the Cedar Grove Apartments site. Additional parking studies have not been requested by the City Engineer or designee. The applicant states that the sites in the study are affordable housing in Beaverton with a similar mix of unit types and explains that the average of the highest number of parked cars at peak times for each site was used, resulting in an average parking ratio of 0.68 spaces per unit. The applicant further states that in addition to providing a parking study, Cedar Grove is within a quarter mile of two different bus lines, the 62 and 48. The 48 bus line provides bus service more frequently than 20 minutes during weekday rush hours, which is a peak transit time.

Therefore, staff finds the criterion is met.

9. ***Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency.***

The applicant states that as proposed, the development can ensure continued periodic maintenance and necessary normal replacement of private common facilities and areas, such as: drainage facilities, driveway access, right-of-way improvements, structures, landscaping, screening, ground cover, and the garbage and recycling storage area. Maintenance and storage areas are included on each floor of the building for ease of use by maintenance staff. Cedar Grove and Community Partners for Affordable Housing (CPAH) are required by funding sources to carry reserves for replacement and maintenance. The condition of CPAH's existing developments such as The Barcelona and Spencer House in Beaverton, The Knoll at Tigard and The Watershed at Hillsdale show the organization's commitment to preserving the quality of its development over time.

Staff find's that the applicant will be able to provide continued maintenance and necessary replacement of facilities.

Therefore, staff finds the criterion is met.

10. ***If the proposal includes lot area averaging as specified in Section 20.05.15.D, the request for the Major Adjustment – Affordable Housing is not for an adjustment to minimum land area standards.***

The proposal does not include lot area averaging as specified in Section 20.05.15.D not does the proposal include a request to adjust the minimum land area standards.

Therefore, staff finds the criterion is not applicable.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **ADJ2019-0010 Cedar Grove Multifamily** subject to the applicable conditions identified in Attachment F.

**DR2019-0057
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW THREE APPROVAL**

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Therefore, the Committee finds that the proposal meets the criteria.

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

Section 40.20.15.3.C Approval Criteria: In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Design Review Three application.*

The applicant proposes to construct a new 44 unit apartment building. The proposal meets all design standards except the following Sections:

- 60.05.15.1.D Building Articulation and Variety (150 square feet of undifferentiated wall area)
- 60.05.20.3.C Pedestrian Circulation (provide walkway for every 300 feet of street frontage)
- 60.05.20.4.A Street Frontages and Parking Areas (minimum landscaping width is not provided in all areas)
- 60.05.25.3.F (three-foot barrier for common open space adjacent to collector or higher classified street)
- 60.05.25.4.D Additional Minimum Landscape Requirements for Attached Housing and Compact Detached Housing (landscape height at one corner of the building does not meet minimum height in an effort to maintain vision clearance)

The following threshold is met:

8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

Therefore, staff finds that the criterion is met.

- 2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fees for a Design Review Three application.

Therefore, staff finds that the criterion is met.

- 3. *For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

The proposal meets Design Review Three threshold number 8, therefore this criterion is not applicable.

Therefore, staff finds the criterion is not applicable.

- 4. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:***

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or*
- b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or*
- c. The location of the existing structure to be modified is more than 300 feet from a public street.*

The proposal is new construction.

Therefore, staff finds the criterion is not applicable.

- 5. *For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

Therefore, staff finds the criterion is not applicable.

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; March 2010]***

The proposal meets Design Review Three threshold number 8. Staff cites the Design Review and Guidelines Analysis at the end of this Design Review section, which evaluates the project as it relates the applicable Design Review Standards and Guidelines found in Section 60.05 of the Development Code. Staff reviews each Standard and Guideline with respect to the applicability of the Standard or Guideline to the project, the applicant's response, and illustrative representation of the proposal. Staff provides an evaluation of the proposal in relation to the Standard or Guideline and a statement as to whether the Standard or Guideline is met below. Staff finds that the proposal meets either the applicable Standards or Guidelines, subject to the conditions of approval.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

7. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is applying to instead meet the applicable Design Guideline(s).***

The proposal does not meet threshold 7 or 8, therefore this criterion is not applicable.

Therefore, staff finds the criterion is not applicable.

8. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for Design Review Three (DR2019-0057) approval. The applicant has also submitted two Major Adjustment Affordable Housing applications (ADJ2019-0009 and ADJ2019-0010), and a Replat Two (LD2019-0010) application. No additional application or documents are needed at this time.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **DR2019-0057 Cedar Grove Multifamily** subject to the applicable conditions identified in Attachment F.

Design Standards Analysis
Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.A Max length of attached residential buildings in residential zones	The proposed development is located within a Multiple Use zoning district, not a Residential zoning district, therefore this standard is not applicable. However, the length of the building is approximately 110 feet on its longest side, approximately 90 feet shorter than the 200 feet maximum.	N/A
60.05.15.1.B Min 30% articulation	The subject site is adjacent to three streets; NW Joy Avenue, NW Cornell Road, and NW Murray Boulevard. Three out of four building elevations face an adjacent street, and the southern elevation, which faces the onsite parking lot, includes a primary building entrance. The asymmetrical “H” shape of the overall building provides articulation on a large scale. The applicant’s plans show that the southern elevation of the building is approximately 5,537 square feet. An area of approximately 2,153 square feet on the southern elevation is offset by more than 27 feet on the eastern end of the recessed wall and by approximately 43 feet on the western end of the recessed wall. Approximately 39% of the southern elevation is recessed and approximately 61% of the southern elevation is articulated. Furthermore, the two protruding portions of southern elevation are offset from each other by approximately 11 feet. The southern elevation is treated with brick, bio-composite cladding, metal panel siding, corrugated metal and windows. The total square footage of the northern elevation (facing NW Cornell Road) is approximately 5,980 square feet, of which approximately 3,171 square feet (or approximately 53%), is architecturally treated. In addition to featuring a deeply recessed wall, the northern elevation includes brick, bio-composite cladding, metal panel siding, corrugated metal and windows and a metal canopy at the ground level, spanning the length of the elevation. The western and eastern elevations are treated with brick, angled and recessed windows, bio composite cladding and a metal entry canopy over a ground floor “store front”	Yes

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	windows. Due to the shape of the proposed building, portions of the opposite wing are visible on the western elevation. This protruding portion also includes windows, doors, brick, a metal canopy and bio-composite cladding, resulting in an elevation which exceeds the 30% articulation and variety requirement. Similar to the western elevation, the eastern elevation facing NW Joy Avenue includes a combination of brick, bio-composite cladding around the windows and at the corner which is located on the opposite wing, visible from NW Joy Avenue for an elevation that consists of approximately 41% of architectural treatment and articulation.	
60.05.15.1.C Max 40' between architectural features	Architectural features, including windows building entrances, changes in material types and off-set walls are spaced less than 40 feet apart from each other.	Yes
60.05.15.1.D Max 150 sq. ft. undifferentiated blank walls facing streets	The proposed street facing building elevations have areas in excess of 150 square feet that are undifferentiated. The applicant has requested to be evaluated against corresponding Design Guideline, 60.05.35.1.E	See DR Guideline Findings Following This Table
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12 for sloped roofs	The proposed roofline is flat, therefore this standard is not applicable.	N/A
60.05.15.2.B Min roof eave = 12" for sloped roofs	The proposed roofline is flat, therefore this standard is not applicable.	N/A
60.05.15.2.C Flat roofs need parapets	The applicant states that the flat roof is treated with a parapet that extends more than 12-inches above the roofline.	Yes
60.05.15.2.D New structures in existing development be similar to existing development roof	This is proposed new development.	N/A
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	No feature roofs are proposed.	N/A

Primary Building Entrances		
60.05.15.3 Weather protection for primary entrance	There are two primary entrances to the proposed building, located along the north facing elevation and the south facing elevation. Both entrances are recessed from the north and south property lines, creating the aforementioned "H" shape of the building. Furthermore these entrances are protected from weather elements by a metal canopy. On the north elevation, the metal canopy spans the length of the elevation and wraps around to the eastern and western elevations as well. The applicant's plans show that the northern primary entrance is covered by a canopy approximately 24 feet in width and six feet deep. The primary entrance on the southern elevation is covered by the building overhang which provides protection approximately 40 feet wide and 6 feet deep.	Yes
Exterior Building Materials		
60.05.15.4.A Residential double wall construction	Double wall construction is proposed throughout the building. The applicant explains that all exterior walls are 2x6 framing with exterior sheathing, exterior continuous insulation, a rainscreen assembly provided by furring strips or hat channels, and cladding material of brick, metal panel or bio-based composite.	Yes
60.05.15.4.B Maximum 30% of primary elevation to be made of unfinished concrete block	<p>The applicant's plans show concrete planters along portions of the building foundation on all elevation. As demonstrated in staff's findings below, none of the elevations are proposed to be treated with unfinished concrete in excess of 30%:</p> <p>East: 145 square feet = approximately 3% West: 151 square feet = approximately 3% North: 61 square feet = approximately 1% South: 47 square feet = approximately 1%</p> <p>The applicant's plans show that all other primary materials, brick, bio-composite cladding, corrugated metal panel and metal panel siding are either inherently textured, such as the brick and bio-composite cladding, or are applied in such a way as to provide texture as with the long, narrow corrugated metal vertical panels and the horizontal metal panel siding.</p>	Yes
60.05.15.4.C Foundations	The applicant states that the brick extends to the finished grade level in nearly all instances and in no area does unfinished	Yes

	foundation material extend more than 3 feet above finished grade level.	
Roof-Mounted Equipment		
60.05.15.5.A through C Roof-mounted equipment screening. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.	<p>The applicant states that the parapet wall and equipment placement will provide visual screening of rooftop equipment from adjacent street and properties. However, the applicant has not provided line-of-sight drawings demonstrating compliance with roof-mounted equipment screening requirements, as outlined in Section 60.05.15.5. Staff recommends a condition of approval that prior to building permit issuance, the applicant shall demonstrate compliance with Section 60.05.15.5.</p> <p>The applicant also states that pipes and vents will protrude from the roof as required for plumbing and mechanical exhaust. Solar PV panels are being considered if funds become available. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.</p>	Yes, w/COA
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.A Buildings in Multiple Use zones shall occupy a minimum public Street along Major Pedestrian Routes.	The subject site is not on a Major Pedestrian Route (MPR).	N/A
60.05.15.6.B-F Buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet. Additional requirements for buildings subject to street frontage standards and/or are located along Major Pedestrian Routes.	The subject site is approximately 32,893 square feet and it does not abut a Major Pedestrian Route, therefore this standard is not applicable.	N/A
Building Scale along Major Pedestrian Routes		
60.05.15.7.A through C 22' Height Minimum 60' Height Maximum	The subject site does not abut a Major Pedestrian Route (MPR).	N/A
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A-B Glazing Requirements	The proposal is residential in nature only.	N/A
Compact Detached Housing Design		
60.05.15.9.A-K	Compact Detached Housing is not proposed.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The applicant states that motor vehicle access is proposed off of NW Joy Avenue to avoid impacts on NW Cornell Road and NW Murray Boulevard. The applicant's plans show pedestrian connections on the north, northwest and east sides of the property. These pedestrian connections are shown to connect the site's internal circulation system with the surrounding existing and proposed public transportation system. Furthermore, the applicant's plans show that these pedestrian connections have a minimum width of five (5) feet. To ensure all internal pedestrian connections maintain a minimum unobstructed width of five (5) feet, staff recommend a condition of approval that all pedestrian walkways have a minimum unobstructed width of five (5) feet, consistent with Section 60.05.20.3.F. The applicant states that all on-site pedestrian walkways connect to the existing public sidewalk system and are sized and graded to provide a means for bicycles to be brought from the residential units or bicycle storage areas to the public street system.	Yes
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A Screen from public view	The proposed waste and recycling storage area is interior to the site, located near the northern entrance driveway. The applicant's plans show that this storage area will be screened from view from the surrounding public streets. The applicant states the required screening will be accomplished by a six foot tall masonry enclosure, using four -inch high CMU blocks in a similar color to the building's primary brick cladding and corrugated metal doors, as featured on the primary building. The applicant explains that the CMU is used to improve the durability of the enclosure but that the brick cladding is not proposed on top of the CMU to reduce the size of the structure. Furthermore, staff finds that the proposed brick cladding is similar in texture to CMU block. The applicant's plans also show an onsite transformer, north of the entrance driveway. The applicant's plans show the	Yes, w/COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	transformer will be screened on the east and portions of the north side by arborvitae. Other areas are covered by Monroe White Liriope, an evergreen grass-like plant. However, there's a gap in hedge planting northeast and south of the transformer. Staff recommend a condition of approval that the applicant demonstrate compliance with Section 60.05.20.2.A, requiring transformers and similar improvements be fully screened from view from a public street.	
60.05.20.2.B Loading areas shall be screened	No loading areas are proposed nor required.	N/A
60.05.20.2.C Screening with walls, hedge, wood	The waste and recycling storage area is enclosed by six (6) foot tall CMU walls and corrugated metal doors. The applicant states that the largest waste containers available are five (5) feet tall, therefore the proposed enclosure will be a minimum of one (1) foot higher than the features to be screened. The transformer is shown to be mostly screened by arborvitae. Other areas are covered by Monroe White Liriope, an evergreen grass-like plant. The southwest corner of the transformer is not screened however as it faces the parking lot and not the street. Furthermore, staff recommend a condition of approval that the applicant demonstrate compliance with Section 60.05.20.2.A, requiring transformers and similar improvements be fully screened from view from a public street.	Yes, w/COA
60.05.20.2.D Chain-link screening prohibited	Chain link is not proposed for screening.	Yes
60.05.20.2.E Screening of loading waived in some zones.	No loading areas are proposed or required.	N/A
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	The subject site is located between three streets; NW Murray Boulevard, NW Cornell Road and NW Joy Avenue. The applicant's plans show onsite pedestrian walkways connect to the surrounding public pedestrian circulation system at NW Joy Avenue, NW Cornell Road and near the intersection of NW Cornell and NW Murray Boulevard.	Yes

60.05.20.3.B Direct walkway connection	Primary entrances for the building have a reasonably direct walkway connection to NW Joy Avenue, NW Cornell Road and NW Murray Boulevard. The applicant states that all entrances to the building are collected into one of two plazas. The north plaza connects to the corner of Cornell and Murray and other points on Cornell, giving good access to transit stops on both streets. The south plaza, which is not public and will be used primarily by residents, connects to Joy Avenue.	Yes
60.05.20.3.C Walkways every 300'	The applicant's plans show that the only frontage exceeding 300 feet is located along NW Murray Boulevard. However, the applicant's plans do not show a walkway along the NW Murray Boulevard frontage every 300 feet. The applicant has requested to be evaluated against corresponding Design Guideline, 60.05.40.3.D.	See DR Guideline Findings Following This Table
60.05.20.3.D Physical separation	All pedestrian connections are physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs.	Yes
60.05.20.3.E Distinct paving	Pedestrian pathways are composed of concrete.	Yes
60.05.20.3.F 5' minimum width	The applicant's plans show that most internal walkways have a minimum width of five (5) feet. However, some walkways appear to be slightly narrower. To ensure five (5) foot walkways are provided, staff recommend a condition of approval that the applicant provide revised plans demonstrating that all walkways have a minimum unobstructed width of five (5) feet, consistent with Section 60.05.20.3.F, including the walkway adjacent to, and north of, the play area.	Yes w/ COA
Street Frontages and Parking Areas		
60.05.20.4.A Perimeter Landscaping	The on-site parking lot is located between two public streets; NW Murray Boulevard and NW Joy Avenue. The applicant proposes landscaping around the entire surface parking area but is not able to meet the dimensional landscaping standards in all areas. The applicant has requested to be evaluated against corresponding Design Guideline, 60.05.40.4.	See DR Guideline Findings Following This Table
Parking and Landscaping		
60.05.20.5.A.2 1 Landscape island per 10 spaces	The applicant's plans show not more than eight parking spaces in one row of parking. However, the central bay of parking,	Yes

	consisting of two rows, has a total of 14 parking spaces (seven on the northern side and seven on the southern side). At the western end of this group of parking spaces, the applicant has proposed one landscape island approximately 293 square feet total, adjacent to three parking spaces.	
60.05.20.5.B 70 sq. ft.	The applicant's plans show one landscape island at the western end of the central group of parking spaces. This landscape island is in excess of 70 square feet and has a width of greater than six feet. The applicant's plans also show two Summit Ash trees planted in this island, having a height range of 30 to 50 feet. The landscape island is protected by a curb around the perimeter.	Yes
60.05.20.5.C Raised Sidewalks	Raised sidewalks are not proposed to be counted towards the number of landscape islands.	N/A
60.05.20.5.D Trees from Street Tree List for Landscape Islands	The two Summit Ash trees (<i>Fraxinus Pennsylvanica</i>) are included on the City of Beaverton's Approved Street Tree list.	Yes
Off-Street Parking Frontages in Multiple-Use Districts		
60.05.20.6.A.1-3 50% Max on Class 1 MPR 65% Max on Class 2 MPR 50% Max for detached residential projects along any street	The subject site is not located along any class of Major Pedestrian Route, nor does the proposal include detached residential components.	N/A
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
60.05.20.7.A Required sidewalk widths	Ten foot wide sidewalks currently exist along NW Murray Boulevard and NW Cornell. However, the sidewalk along NW Murray Boulevard has a current unobstructed width of less than five (5) feet. The applicant's plans show proposed improvements to the existing sidewalk on NW Murray Boulevard to accommodate a five (5) foot unobstructed path. There are no existing sidewalks on NW Joy Avenue frontage, however, the applicant's plans show a three (3) foot right-of-way dedication along the NW Joy Avenue frontage and the construction of an 11-foot sidewalk with an unobstructed five (5) foot wide walkway.	Yes

60.05.20.7.B Internal pathway widths	The applicant's plans show two primary entrances. The northern entrance is adjacent to a plaza with dimensions that exceed the minimum width of ten feet. The southern entrance is adjacent to the outdoor play area and paved patio. The walkway directly in front of the second primary entrance has a width which exceeds ten feet. Furthermore, staff recommend a condition of approval that the applicant provide revised plans demonstrating that all walkways have a minimum unobstructed width of five (5) feet, consistent with Section 60.05.20.3.F, including the walkway adjacent to, and north of, the play area.	Yes
60.05.20.7.C Common Greens	Proposal does not include common greens or shared courts.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A Drive aisles to be designed as public streets, if applicable	Drive aisles provide access to angled parking stalls.	N/A
Ground Floor uses in parking structures		
60.05.20.9 Parking Structures	No parking structures are proposed.	N/A

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping		
60.05.25.3.A Minimum Landscape Area (15%)	The subject site is approximately 32,893 square feet which requires 4,934 square feet of landscaping (15%). The applicant states that 5,017 square feet of landscaping is being proposed.	Yes
60.05.25.3.B Active Open Space (25% of the required open space)	Active open space is provided by a plaza with seating and a water feature adjacent to the northern primary entrance and by a playground area, plaza, and walkways leading to seating adjacent to the southern entrance. The applicant states the total active open space area is 1,638 square feet, exceeding the 25% minimum which is equivalent to 1,234 square feet. The northern active open space is separated from NW Cornell Road by raised planters that have a minimum height of three feet for the length of the required active open space. The southern plaza and play area is separated from NW Murray by the building.	Yes

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.25.3.C Environmentally Sensitive Areas	Environmentally Sensitive Areas do not exist on site. However, the applicant is proposing a water treatment facility within the southwest corner of the site which is being counted towards the minimum landscape requirement.	N/A
60.05.25.3.D Vehicle Circulation	Vehicular circulation areas are not being considered in the landscape calculations.	N/A
60.05.25.3.E Individual Exterior Spaces	Individual patios are not proposed.	N/A
60.05.25.3.F Abutting Collector or Higher	The northern active open space is separated from NW Cornell Road, an arterial, by raised planters. The southern plaza and play area is separated from NW Murray by the building. The applicant has requested to be evaluated against corresponding Design Guidelines, 60.05.45.1.B.	See DR Guideline Findings Following This Table
60.05.25.3.G Open Space Size, 640 sq.ft. in area and min.width and length of 20 feet.	The applicant's plans show that both plazas are in excess of 640 square feet each and exceed the minimum dimensional requirements of 20 feet for width and length.	Yes
60.05.25.3.H Phased Development	Proposal does not include phased development.	N/A
60.05.25.3.I Active Open Space Improvements	The proposed northern active open space includes a plaza with tables and a water feature. The southern active open space includes benches with pathways, a plaza with tables and a play structure.	Yes
60.05.25.4.A Front Yard Landscaping	The TC-MU zoning district does not have a minimum front yard requirement, however, the applicant is proposing landscaping in all areas not occupied by structures, walkways, driveways, plazas or parking spaces.	Yes
60.05.25.4.B Bare Gravel, Rock, Bark Maximum (25%)	All landscape areas include live plants, plazas or play structure. Two narrow areas (on the south and east sides) of the storm water facility are bordered by mulch. The total area is approximately 360 square feet, or approximately 7% of the required landscape area.	Yes
60.05.25.4.C Vehicle Circulation	Vehicular circulation is not counted in landscape calculation.	N/A

60.05.25.4.D Landscaping along foundations	Landscaping is provided in front of all street facing elevations along the foundation in areas not occupied by plaza or portions of the building facade that provide access for pedestrians to the building except for the northwest corner of the building where only ground cover is proposed. The applicant has requested to be evaluated against corresponding Design Guidelines, 60.05.45.2.A and B. The applicant explains that foundation landscaping provided along the foundation in all other required areas will be planted at three (3) feet on center and will reach a mature height of at least 24 inches.	See DR Guideline Findings Following This Table
60.05.25.4.E Minimum Planting Requirements	Landscaped areas exceed planting requirements.	Yes
60.05.25.4.F Pedestrian Plaza	The combined square footages of the proposed plazas exceed 25% of the required landscaping area, however, they are not needed to meet the general 15% landscaping requirement.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	Raised concrete planters are proposed in excess of 50 lineal feet along the western and eastern elevations, however, the applicant states that they are not retaining walls. The planters along Joy Avenue and Cornell Road include an architectural treatment of scoring at the top and the exposed vertical face every 24 inches. The scoring is 1 ½ inches wide and ½ inches deep and provides visual interest in addition to acting as a skateboard deterrent. The planter along Murray Boulevard is screened with a landscape buffer. All planters are concrete to match the primary material of the north and south plazas and the sidewalks adjacent to them.	Yes
Fences and Walls		
60.05.25.9.A through E Materials	A three-foot tall cedar fence is proposed along the southern property line, adjacent to the neighboring commercial space. The raised planters located on the site range in height but do not exceed 3 feet in height where permitted along NW Murray and NW Cornell and do not exceed three feet along NW Joy Avenue. Furthermore, the TC-MU zoning district does not have front yard requirements to which these standards apply.	Yes

Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	The subject site is zoned TC-MU, a mixed-used zoning district. The surrounding properties are zoned Washington County's Transit Oriented Retail Commercial District (TO:RC), a non-residential zoning district, therefore this standard is not applicable.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	The onsite stormwater facility is located within the southwest corner on the site and is not located between a street and the front of an adjacent building.	Yes
Natural Areas		
60.05.25.12 No encroachment into buffer areas.	No natural areas exist on site. The applicant has submitted a Clean Water Services Sensitive Area Pre-Screening Site Assessment form.	N/A
Landscape Buffering Requirements		
60.05.25.13 Landscape buffering between contrasting zoning districts	The subject site is zoned TC-MU. The surrounding properties are zoned Washington County's Transit Oriented Retail Commercial District (TO:RC), which is equivalent to city zoning district Station Community (SC). A 10-foot B2 buffer would be required for abutting properties and a five-foot B1 buffer would be required at the property line adjacent to a street. However, Section 60.05.25.13 states that, "Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate)" and that "A landscape buffer width cannot exceed a minimum yard setback dimension." There are no minimum front, side or rear setback requirements within the TC-MU zoning district, therefore the landscape buffers are not required.	Yes

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A Lighting complies with the City's Technical Lighting Standards	The applicant provides a lighting plan with photometric details. On-site lighting meets the minimum lighting requirements in most areas but there are areas along the property lines where the lighting levels exceed the permitted 0.5 foot candles. As a condition of approval, staff recommend that the applicant demonstrate compliance with all applicable lighting levels, as outlined in Section 60.05.30 and Table 60.05-1.	Yes, w/ COA
60.05.30.1.B Lighting provided for vehicle and pedestrian circulation	The applicant states that lighting for vehicle circulation are 16 feet tall and that pedestrian circulation areas are lit with a variety of light sources, including canopy lighting, wall-mounted lights, overhead catenary lights, and edge lighting at steps and planters. Staff recommends a condition requiring details showing light fixtures and mounts at Site Development permitting stage.	Yes, w/ COA
60.05.30.1.C Lighting of Ped Plazas	The applicant states that lighting is provided in pedestrian plazas with a variety of light sources. The north plaza includes overhead catenary lights, canopy lights, building mounted lights, edge lighting at planters and steps, tree uplighting, and wall wash lighting. The south plaza is lit with building mounted lights, canopy lights, and tree uplighting. Staff recommends a condition requiring details showing light fixtures and mounts at Site Development permitting stage on submitted plans.	Yes, w/COA
60.05.30.1.D Lighting of building entrances	The applicant's lighting plan shows lighting at building entrances.	YES
60.05.30.1.E Canopy lighting recessed	Canopy lighting is proposed to be recessed.	YES
Pedestrian-scale on-site lighting		
60.05.30.2.A Pedestrian Lighting	The applicant's plans do not show the use of pole mounted luminaires for pedestrian lighting. 16-foot tall pole mounted lights are proposed at the perimeter of the parking and vehicle maneuvering area. However, the applicant's plans show overhead catenary lights which can be similar to pole mounted lighting, therefore, staff recommends a condition of approval that	Yes, w/COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	overhead catenary lights have a minimum overhead clearance of eight feet from finished grade but shall not exceed 15 feet from finished grade.	
60.05.30.2.B Non-Pole Mounted Lighting	The applicant's lighting plans indicate that wall-mounted lighting does not exceed 20 feet above finished grade. However, staff recommend conditions of approval to ensure compliance with lighting standards. Staff recommend a condition of approval that the applicant demonstrate compliance with all applicable lighting levels, as outlined in Section 60.05.30 and Table 60.05-1. And a condition requiring details showing light fixtures and mounts at Site Development permitting stage on submitted plans.	Yes, w/COA
60.05.30.2.C Lighted Bollards	Lighted bollards are not proposed.	N/A

DESIGN REVIEW GUIDELINES ANALYSIS

In the following analysis, staff have only identified the Design Guidelines which are relevant to the subject development proposal. Non-relevant Guidelines have been omitted.

60.05.35 *Building Design and Orientation Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. ***Building Elevation Design Through Articulation and Variety***

E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D)

The applicant states that the proposed design of the building achieves a safe, high quality pedestrian-oriented streetscape through elements such as:

- A building massing that responds to the surrounding street orientation in support of the pedestrian experience from all directions.
- A public pedestrian plaza in collaboration with THPRD that includes opportunity for play and respite for the many pedestrians that travel through the currently auto-centric gateway to the Cedar Mill neighborhood.

- A building design which expresses a distinctive appearance that is also timeless. This permanence and place-making is achieved through an elegant balance of articulated elements within a strong but simple field of brick and wood-alternative board cladding, which are both materials with a high degree of tactility and visual interest at the pedestrian scale.

The applicant explains that this standard that applies only to Residential buildings has been difficult to follow: 60.05.15.1.D, which requires that detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area. The wording of the standard implies that it is meant for a smaller residential building. At that scale, a 150 square foot area could be a significant portion of the side of a building. However, at the scale of a 4-story, 44-unit structure that in massing is more closely related to a mixed-use building than a single-family home, 150 square feet is a much smaller proportion of the building's façade and applying the standard to that scale would no longer meet the intent of the standard. The applicant continues to express concern about the negative impact a strict interpretation of this standard would have on the building design. Meeting that interpretation would require either a patchwork of different materials or features or a much higher percentage of windows, which could have undesired impacts on energy use, utility costs, privacy and general livability considerations such as placement of furniture within the residential units.

Staff finds that the applicant's plans show elevations featuring different materials ranging in size and location, including windows of varying sizes recessed at an angle, raised planter beds along the foundation of the elevations and wrap around canopies. The applicant's plans show brick as the primary material on the building which is applied in two distinct patterns, vertical and horizontal running bond, on all elevations. Other predominate materials include bio-composite cladding and corrugated metal panel. Furthermore, the overall shape of the building itself features deeply recessed walls at varying depths, and changing orientations of the building mass. Undifferentiated blank walls are avoided with the exception of a portion of the western elevation facing the internal southern plaza and is obstructed by southwest building mass which extends beyond the undifferentiated wall.

Staff finds that sufficient articulation and variety are provided.

Therefore, staff finds that the Guideline is met.

60.05.40. *Circulation and Parking Design Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

3. Pedestrian circulation.

D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)

The applicant's plans show a pedestrian connection along NW Joy Avenue and multiple connections on NW Cornell Road. However, a pedestrian connection is not proposed along NW Murray Boulevard. Although this frontage exceeds 300 lineal feet, the building,

parking lot and stormwater facility occupy most of that frontage and all three improvements are located within close proximity to one another, leaving little room in between for a safe and efficient pedestrian path.

The applicant explains that the number of connections was chosen carefully to provide the safest and most active routes to the surrounding street network. The adjacent arterial streets, NW Cornell Road and NW Murray Boulevard, have connections to the public plaza at the north side of the building to encourage pedestrian travel through that area. Doing so activates the public plaza and improves security in that public area by providing a higher number of people walking through and observing activity there. The applicant further states that sidewalks at the two arterial streets do not connect directly to the south plaza because that plaza is intended for resident use only and should maintain a higher sense of privacy. Furthermore, the applicant states that a direct connection from the south plaza to Murray Boulevard was considered but not pursued due to the impact the path would have on quality and safety elements of the site design, explaining that the building is situated as far north on the site as possible, including an encroachment of the canopy over the sidewalk, to maximize the available space for parking, which leaves exactly 5 feet between a unit window and the parking lot curb creating privacy challenges for those ground-floor residential units. And although a direct path from the south plaza to Murray Boulevard may be more convenient for some residents, higher level priorities including security and landscape screening of residential units and parking have led the applicant to determine that a path through the north plaza to Murray is more appropriate.

Staff concurs that safe pedestrian connections are provided to streets where possible.

Therefore, staff finds the Guideline is met.

4. Street frontages and parking areas.

Street frontages and parking areas. Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)

The applicant's plans show landscaping around the perimeter of the onsite parking lot. However, the parking area landscape standard width is not achieved along portions of NW Joy Avenue and NW Murray Boulevard. Along NW Joy, the surface parking lot screening is provided by a combination of trees, shrubs, the trash enclosure and a fence perpendicular to the street, along the southern property line. A landscaping buffer having a minimum width of 4 feet, featuring an opaque hedge, screens the surface parking lot from NW Murray. The applicant states that the landscape buffer will be planted with dense shrubs to form an opaque hedge at 2 years maturity at least 30" in height.

Staff concurs that the surface parking areas located along public streets are screened by proposed landscaping and fencing.

Therefore, staff finds the Guideline is met.

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

1. Common open space for residential uses in Residential zones.

B. Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standards 60.05.25.1 through 3)

The applicant's plan include both passive an active open space. The onsite stormwater facility is the predominant open space area, tied into the landscaped areas throughout the site. The active open spaces are provided via two plazas, on the north and south sides of the building. The applicant states that both plazas have been located and designed to maximize their use, security, safety and convenience. The applicant explains that both plazas are connected to the building lobby and all building entry and exit points adjoin a plaza, so the plazas will be activated by residents on their way to and from the building and that frequent use, as well as many people observing an area, are important components of safe and secure design in outdoor areas. However the applicant also explains that the plazas are designed for high visibility by those outside of it as well. For the south plaza, this is achieved by residential units, the property manager's office, and the resident services office all overlooking the plaza. The north plaza is overlooked by the lobby, two community rooms, a common corridor on each floor, and 10 apartments. The applicant continues to explain that planters adjacent to the northern plaza are limited in height to provide good visibility from the sidewalk into the plaza, and small trees with an open structure were selected behind the fountain. The applicant states that visibility between the plaza and sidewalk is important for the security of both areas and also makes the plaza more inviting to people who would otherwise just walk by.

Staff finds that both plazas include areas which have defined boundaries with seating at the perimeter but are not fully enclosed with fencing or walls as needed for entrance into these spaces. As shown on the applicant's plans, the play area in the south plaza has a low fence on two sides, the building wall on a third, and a walkway between the play area and a building wall on the fourth side, which is also where the bench is located. As for the northern plaza, the applicant's plan show that the fountain has a distinctive concrete finish texture defining a zone around the fountain with a seat-height planter on the north side and sculptural lights that also function as seats on the south side.

Therefore, staff finds the Guideline is met.

2. Minimum landscaping in Residential zones.

A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.4)

The applicant's plans show that landscaping is provided in all places on the site unless occupied by required pedestrian walkways, plazas or vehicular parking and maneuvering areas. The

foundation landscaping along the northwest corner of the building consists of carex, a grass-like ground cover which does not have a minimum mature height of 24 inches. The applicant states that a low planting variety was selected for this location as a result of the applicant's transportation engineers recommendation to maintain vision clearance at this intersection.

Furthermore, staff find that the foundation landscaping design standard (60.05.25.4) may not be applicable to attached residential developments in all zones, as the standard suggests, but rather only in Residential zoning districts, as the corresponding Guideline indicates. The requirement for a three foot wide landscape buffer along all street facing building elevations prevents attached residential buildings located in zones where there are no minimum yard setbacks, as is the case in the subject zoning district (TC-MU), from being located on the property line, something that would be permitted if the building had a commercial component.

However, staff find that the applicant's plans demonstrate compliance with the Guideline by incorporating plants, hard-surface materials, and a pedestrian plaza with seating and a water feature in the area between the street and building, contributing to a safe, and interesting streetscape.

Therefore, staff finds that the Guideline is met.

*B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings.
(Standard 60.05.25.4)*

The applicant's plans show that landscaping is provided in all places on the site unless clearance is needed for pedestrian paths, or vehicular circulation areas.

Staff concurs that the proposed landscaping softens the edges of the buildings, parking areas and adds aesthetic interest and generally increases the attractiveness of a development and its surroundings

Therefore, staff finds that the Guideline is met.

**LD2018-0032
ANALYSIS AND FINDINGS FOR
REPLAT TWO**

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Therefore, the Committee finds that the proposal meets the criteria.

Section 40.45.55 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

Section 40.45.15.3.C Approval Criteria

In order to approve a Replat Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The application satisfies the threshold requirements for a Replat Two.*

The subject site currently consists of two lots; 1N133DB03400 and 1N133DB03500. The site also includes land that has never been part of a previously recorded plat. The applicant is proposing to consolidate tax lot 3400 and 3500 and incorporate the land outside of the existing recorded plat, Gredvig's Subdivision from 1948. The lot consolidation meets Threshold 3 for the Replat Two.

40.45.15.3.A. Thresholds:

3. The reconfiguration of lots, parcels, or tracts affecting more than one (1) recorded plat, or where the perimeter boundary of a recorded plat would change as a result of the proposed reconfiguration.

Therefore, staff find that the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant has paid the required application fee for a Replat Two application.
Therefore, staff find that the proposal meets the criterion for approval.

3. ***The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the partition process to comply with current Code standards and requirements.***

The applicant states that the proposed replat does not conflict with any existing City approval, staff concurs. Since the subject site was incorporated into the City of Beaverton City limits in 2017, the record shows no other City approval was issued for the subject site.

Therefore, staff find that the proposal meets the criterion for approval.

4. ***Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.***

Chapter 90 defines an oversize lot as at least twice the minimum lot size permitted in the zoning district. A minimum lot size is not established in the TC-MU Zoning District and, therefore, an oversize lot cannot be created.

Therefore, staff find that the criterion for approval does not apply.

5. ***Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following:***

a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,

b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed provides a standard street cross section with sidewalks.

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

6. ***Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.***

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

- 7. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.***

Phasing is not requested as part of this application.

Therefore, staff find that the criterion for approval does not apply.

- 8. *The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.***

The proposed replat does not eliminate pedestrian access, utility service, or vehicle access to the subject properties. The subject site is currently vacant. The applicant's plans show that existing sidewalks will be either maintained or improved and a new sidewalk will be added along the NW Joy Avenue frontage where sidewalks do not currently exist. Vehicular access is also proposed to be improved with the proposal. The applicant states that pedestrian access is proposed to be provided to the site and on the site as addressed in Sections 40.03.1.B, 60.55.25, and 60.55.30. Utility service has been provided to the site for previous uses and is proposed to be provided to the site according to the Utility Plan in the applicant's submitted materials.

Therefore, staff find that the proposal meets the criterion for approval.

- 9. *The proposal does not create a parcel or lot which will have more than one (1) zoning designation.***

The proposed consolidated lot has a single zoning designation – TC-MU (Town Center – Multiple Use).

Therefore, staff find that the proposal meets the criterion for approval.

- 10. *Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for Replat Two (LD2019-0010) approval. The applicant has also submitted two Major Adjustment -- Affordable Housing applications (ADJ2019-0009 and ADJ2019-0010), and a Design Review Three (DR2019-0057) application. No additional application or documents are needed at this time.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2019-0010 Cedar Grove Multifamily**, subject to the applicable conditions identified in Attachment F.

RECOMMENDED CONDITIONS OF APPROVAL
Cedar Grove Multifamily
(ADJ2019-0009 / ADJ2019-0010 / DR2019-0057 / LD2019-0010)

The Facilities Review Committee finds that by meeting the conditions of approval below, the proposal does comply with all the technical criteria. The Committee recommends that the decision-making authority **APPROVE** the proposal. If the decision-making authority does approve the proposal, the committee recommends the following conditions of approval:

Major Adjustment – Affordable Housing (ADJ2019-0009 for Density)

A. General Conditions, the Applicant shall:

1. Ensure the associated land use application ADJ2019-0010 has been approved. (Planning / ES)

Major Adjustment – Affordable Housing (ADJ2019-0010 for Parking)

A. General Conditions, the Applicant shall:

1. Ensure the associated land use application ADJ2019-0009 has been approved. (Planning / ES)

Design Review Three (DR2019-0057)

A. General Conditions, the Applicant shall:

1. Ensure the associated land use applications ADJ2019-0009, ADJ2019-0010 and LD2019-0010 have been approved. (Planning / ES)

B. Prior to issuance of the site development permit, the applicant shall:

1. Submit plans showing temporary tree fencing for all adjacent off-site trees possibly impacted by site improvements, consistent with Section 60.60.20 Tree Protection Standards during Development. (Planning/ES)
2. Provide a revised photometric lighting plan, architectural elevations and a site plan showing compliance with all applicable lighting levels, as outlined in Section 60.05.30 and Table 60.05-1 Technical Lighting Standards of the Development Code, including the location and placement of lighting fixtures. (Planning/ES)
3. Overhead catenary lights shall have a minimum overhead clearance of eight feet from finished grade but shall not exceed 15 feet above finished grade. (Planning/ES)
4. The sidewalk along the site's NW Murray Boulevard frontage shall have a minimum unobstructed hard surfaced width of five (5) feet. Replace sidewalk panels as needed to meet the five (5) foot minimum unobstructed width in compliance with ADA standards. (Planning/ES and Wash. Co./NV)

5. Existing healthy street trees are encouraged to remain. If the impacts of the sidewalk construction improvements are detrimental to the existing street trees, as determined by the City of Beaverton's City Arborist, the street trees shall be replaced with a species of tree approved by the City Arborist. If the sidewalk improvements require the cutting of street tree roots in excess of one caliper inch, the City Arborist's approval shall be secured prior to tree root cutting. (Planning/ES and Public Works/JL)
6. All on-site pedestrian walkways shall have a minimum unobstructed width of five (5) feet, consistent with Section 60.05.20.3.F unless otherwise approved by the decision making authority. (Planning/ES)
7. Ensure transformers, utility vaults and similar improvements on the site are fully screened from view from public streets, as required by Section 60.05.20.2. Screening shall be a minimum of one-foot above the feature to be screened and shall be accomplished through one or more of the methods outlined in Section 60.05.20.2.C. (Planning / ES)
8. Provide plans that show the three (3) foot right-of-way dedication along NW Joy Avenue to accommodate a sidewalk with a minimum width of 10 feet and a five (5) foot unobstructed path. (Planning / ES)
9. Submit plans showing signage on either side of the ingress of the parking lot stating truck access is prohibited. (Transportation /JK)
10. Submit plans showing signage on either side of the egress of the parking lot that read "Do Not Enter". (Transportation /JK)
11. WATER SUPPLY DURING CONSTRUCTION: Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1) (TVFR/JF)
12. KNOX BOX: A Knox Box for building access is required for this structure. See Appendix B for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1) (TVFR/JF)
13. FIRE PROTECTION EQUIPMENT IDENTIFICATION: Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1) (TVFR/JF)
14. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./TDM)
15. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in the City 2019 Engineering Design Manual and Standard Drawings (City EDM), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (April 2017, Resolution and Ordinance 2017-05), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./TDM)

16. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and the City EDM; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./TDM)
17. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality) facilities, all site work in the emergency vehicle access and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./TDM)
18. As part of the Side Development Permit submittal, submit any off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./TDM)
19. Submit a geotechnical and geo-environmental report with the site development permit application for review and approval by the City Engineer. The report shall include an assessment of the soil and any toxic contaminants, ground/surface water issues, any needed clean-up action, remediation methods, Oregon Department of Environmental Quality requirements, disposal regulations, and construction worker safety measures. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer and rules of the Oregon Department of Environmental Quality (DEQ). (Site Development Div./JJD)
20. Submit plans that show access for a maintenance vehicle within 6-feet from the front, or within 19-feet from the side of a vehicle to all water quality and flow control structures or otherwise as specifically approved by the City Engineer. (Site Development Div./TDM)
21. Submit a design for the retaining walls surrounding, adjacent, and within the storm water quality facility designed by a civil engineer or structural engineer for the expected hydrological conditions of the pond. These retaining walls shall be watertight for all areas of earthen fill or where deemed necessary by the City Engineer. Additionally, these walls shall be designed as poured-in-place, reinforced, 4000 PSI, portland cement concrete with cobblestone face texturing, or a City Engineer approved equivalent, and with minimum 18-inch stem wall thickness at the top of each wall. (Site Development Div./JJD)
22. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the NW Murray Boulevard, NW Cornell Road, and NW Joy Avenue right of way. (Site Development Div./TDM)
23. Submit plans that include details of the proposed bicycle parking spaces. Racks are to be at least 30 inches wide by 36 inches tall, centered within an area that is 6 feet by 4 feet, and at least 2 feet from any building. Inverter U-type and staple racks are the preferred option for bicycle parking. (Site Development Div./TDM)

24. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./TDM)
25. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer (meeting the standards set by the City Engineer as specified in the Engineering Design Manual Chapter 6, 610.L). The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./TDM)
26. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./TDM)
27. If the disturbed area is greater than one acre, submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div./TDM)
28. Provide final construction plans and a final drainage report per Section CWS 4.05.6.3 of the 2019 EDM and Section 4.05.5 of CWS Resolution & Order 17-05 (in regard to redevelopment water quality treatment). (Site Development Div./TDM)
29. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot to another lot area shall not be considered a direct plumbing service. (Site Development Div./TDM)
30. Submit a revised grading plan showing the proposed building lowest finished floor elevation (and the elevation of any other proposed improvement subject to flood damage) is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. Additionally, the minimum finished floor elevation shall be established and clearly documented on all building and site development plan sheets that include elevations and/or contours. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./TDM)
31. Submit to the City a certified impervious surface determination of the proposed project prepared by the applicant's engineer, architect, or surveyor (this can be with or shown on the submitted building plans). The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces on the site. In addition, specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways, sidewalk and pedestrian areas, and any gravel or pervious pavement surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, modified existing impervious,

the new impervious surface area created, and total final impervious surface area on the entire site after completion. (Site Development Div./TDM)

32. Pay storm water system development charges (overall system conveyance and for storm quantity, water detention) for any net new impervious area proposed for the entire project. (Site Development Div./TDM)
33. Provide plans for street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director), an on-site lighting plan, and for the placement of underground utility lines along NW Murray Boulevard, NW Cornell Road, and NW Joy Avenue frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./TDM)
34. Submit an owner-executed, notarized, City standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./TDM)
35.
 - A. The following shall be noted on the plat and recorded with Washington County Survey Division (Survey Division 503.846.8723) (Wash. Co. / NV):
 - a. Provision of a non-access restriction for the site's frontage on NW Murray Boulevard and NW Cornell Road.
 - b. Complete a County Encroachment Permit for a metal canopy that will be located two (2) feet into the existing right-of-way on NW Cornell Road.
 - B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:
 1. Completed Washington County "Design Option" form, Geotech/Pavement report and Plan Submittal/Review Checklist (Appendix 'E' of the County's Road Standards).
 2. **\$10,000.00** Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.
 3. A copy of the City's Land Use Approval with Conditions, signed and dated.
 4. Preliminary certification of adequate sight distance at the site's access on NW Joy Street in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:

- a. A detailed list of improvements necessary to produce adequate intersection sight distance (refer to the following link for sight distance certification submittal requirements).

<http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm>

5. Engineering plans for construction of the following public improvements to County standards, including a Geotech/Pavement report to support roadway section(s):
 - a. Half-street improvement to a County local standard. The half-street improvement shall include a 10 foot sidewalk with tree wells and street illumination. Note: utility poles and other infrastructure may be required to be relocated to permit the construction of the public improvements.
 - b. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the access on NW Joy Road.
 - c. Access to NW Joy Street to County standards. The accesses shall have signage and pavement markings to show which driveway will serve as the entrance and exit.
 - d. All existing access to NW Murray Boulevard and NW Cornell shall be closed.
 - e. Any damaged sidewalk panels or curb on NW Murray Boulevard and NW Cornell Road shall be replaced.
 - f. Pedestrian connections to NW Murray Boulevard and NW Cornell Road.
 - g. Sidewalk along the site's NW Murray Boulevard frontage shall have a minimum unobstructed width of five (5) feet. Replace sidewalk panels as needed to meet the five (5) foot minimum unobstructed width in compliance with ADA standards.
 - h. All private walls and other infrastructure, with the exception of the metal canopy on NW Cornell Road, shall be located outside of the public rights-of-way.
 - i. One "No Parking Loading Zone" space along the site's frontage of NW Joy Street to County standards.

C. Obtain a Washington County **Facility Permit** upon completion of the following:

1. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions I.B.5.

NOTE: The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative **after** submittal and approval of items listed under **I.B.**

*The **Facility Permit** allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner.*

Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.

C. Prior to building permit issuance, the applicant shall:

1. Submit plans demonstrating compliance with Section 340 of the Engineering Design Manual, Bicycle Parking Standards, specifically the bike rack install dimensions and bicycle facility design. (Planning/ES)
2. Obtain the City Building Official's review approval of the proposed private fire service mains (fire line), vault, backflow prevention and Fire Department Connection (FDC). (Site Development Div./TDM)
3. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./TDM)
4. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to grading activities. (Site Development Div./TDM)
5. Submit line-of-sight drawings demonstrating compliance with Section 60.05.15.5 Roof-mounted equipment screening. (Planning / ES)

D. Prior to final inspection and occupancy permit issuance of any building permit, the applicant shall:

1. Have installed street trees along all frontages. (Planning/ES)
2. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/ES)
3. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/ES)
4. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/ES)
5. Ensure all landscaping approved by the decision making authority is installed. (Planning/ES)
6. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning/ES)

7. Have recorded the final one-lot partition plat in County records and submitted a recorded copy to the City. The one-lot partition plat shall combine all of the parcels into one parcel. (Site Development Div./TDM)
8. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./TDM)
9. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./TDM)
10. Have installed or replaced, to City specifications, all sidewalks, curb ramps and driveway aprons which are damaged during the construction of the site. (Site Development Div./TDM)
11. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./TDM)
12. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div./TDM)
13. Submit any required on-site easements, not already granted on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form.
14. Obtain a Finaled Washington County **Facility Permit**, contingent upon the following:
 - a. The road improvements required in condition I.B.5. above shall be completed and accepted by Washington County.
 - b. Upon completion of necessary improvements, submit **final** certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

Note: The property owner shall continuously maintain adequate sight distance. This may require the property owner to periodically remove obstructing vegetation from the road right-of-way (and on site).

E. Prior to release of performance security, the applicant shall:

1. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./TDM)
2. Provide a post-construction cleaning, system maintenance, and filter recharge/replacement inspection report from a manufacturer-qualified maintenance provider for the site's proprietary storm water treatment system. Additionally, another servicing report from the manufacturer-qualified maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./TDM)

3. Provide an additional maintenance (warranty) security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation within the storm water facilities, as determined by the Public Works Director. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./TDM)

Replat Two (LD2019-0010)**A. General Conditions, the Applicant shall:**

1. Submit electronic copies of the proposed final plat to the City for review and approval, prior to recording. (Planning / ES)
2. Record new legal descriptions of the adjusted lots and an updated survey of the new lot configuration with Washington County. The configuration shall be consistent with the preliminary survey submitted for LD2019-0010. (Planning / ES)



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

November 6, 2018

ODOT #8695

ODOT Response

Project Name: Cedar Grove 44 unit Affordable Housing	Applicant: Community Partners for Affordable Housing
Jurisdiction: City of Beaverton	Jurisdiction Case #: PA2018-0064
Site Address: No situs NW Murray Rd	Legal Description: 01N 01W 33 Tax Lot(s): 03400
State Highway: US 26	

The site of this proposed land use action is in the vicinity of the US 26/Murray Blvd interchange. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. **Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.**

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Traffic Impacts

- ☒ The applicant shall submit a traffic impact analysis to assess the impacts of the proposed use on the State highway system. The analysis must be conducted by a Professional Engineer registered in Oregon. **Contact the ODOT Traffic representative identified below and the local jurisdiction to scope the study.**

Please send a copy of the **Land Use Notice to:**

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

Region1_DEVREV_Applications@odot.state.or.us

Development Review Planner: Marah Danielson	503.731.8258, marah.b.danielson@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221

EXHIBIT 3.2



WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 • FAX: (503) 846-7620

May 5, 2019

To: Elena Sasin – Associate Planner

From: Naomi Vogel – Associate Planner

RE: Cedar Grove Multi-Family

City Casefiles: ADJ2019-0009/ADJ2019-0010/DR2019-0057/LD2019-0010

County File Number: CP19-913

Tax Map and Lot Number: 1N133DB-03400/03500

Location: NW Murray Boulevard/NW Cornell Road/NW Joy Street

Washington County Department of Land Use and Transportation has reviewed the above noted development application for a four story 44-unit multifamily complex with access on NW Joy Road, a County-maintained Local street.

REQUIRED CONDITIONS OF APPROVAL

I. PRIOR TO ISSUANCE OF A SITE DEVELOPMENT PERMIT BY THE CITY OF BEAVERTON:

- A. The following shall be noted on the plat and recorded with Washington County Survey Division (Survey Division 503.846.8723):
 - 1. Provision of a non-access restriction for the site's frontage on NW Murray Boulevard and NW Cornell Road.
 - 2. Complete a County Encroachment Permit for a metal canopy that will be located two (2) feet into the existing right-of-way on NW Cornell Road.
- B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:

1. Completed Washington County "Design Option" form, Geotech/Pavement report and Plan Submittal/Review Checklist (Appendix 'E' of the County's Road Standards).
2. **\$10,000.00** Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. A copy of the City's Land Use Approval with Conditions, signed and dated.
4. Preliminary certification of adequate sight distance at the site's access on NW Joy Street in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:
 - a. A detailed list of improvements necessary to produce adequate intersection sight distance (refer to the following link for sight distance certification submittal requirements).

<http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm>

5. Engineering plans for construction of the following public improvements to County standards, including a Geotech/Pavement report to support roadway section(s):
 - a. Half-street improvement to a County local standard. The half-street improvement shall include a 10 foot sidewalk with tree wells and street illumination. Note: utility poles and other infrastructure may be required to be relocated to permit the construction of the public improvements.
 - b. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the access on NW Joy Road.
 - c. Access to NW Joy Street to County standards. The accesses shall have signage and pavement markings to show which driveway will serve as the entrance and exit.
 - d. All existing access to NW Murray Boulevard and NW Cornell shall be closed.
 - e. Any damaged sidewalk panels or curb on NW Murray Boulevard and NW Cornell Road shall be replaced.

- f. Pedestrian connections to NW Murray Boulevard and NW Cornell Road.
- g. Sidewalk along the site's NW Murray Boulevard frontage shall have a minimum unobstructed width of five (5) feet. Replace sidewalk panels as needed to meet the five (5) foot minimum unobstructed width in compliance with ADA standards.
- h. All private walls and other infrastructure, with the exception of the metal canopy on NW Cornell Road, shall be located outside of the public rights-of-way.
- i. One "No Parking Loading Zone" space along the site's frontage of NW Joy Street to County standards.

C. Obtain a Washington County **Facility Permit** upon completion of the following:

- 1. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions **I.B.5.**

NOTE: The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative **after** submittal and approval of items listed under **I.B.**

*The **Facility Permit** allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner. **Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.***

II. PRIOR TO OCCUPANCY:

Obtain a Finaled Washington County **Facility Permit**, contingent upon the following:

- A. The road improvements required in condition **I.B.5.** above shall be completed and accepted by Washington County.
- B. Upon completion of necessary improvements, submit **final** certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

***Note:** The property owner shall continuously maintain adequate sight distance. This may require the property owner to periodically remove obstructing vegetation from the road right-of-way (and on site).*

Thank you for the opportunity to comment. If you have any questions, please contact me at 503-846-7639.

Naomi Vogel - Associate Planner

Cc: Road Engineering Services
Assurances Section
Transportation File

EXHIBIT 3.3

From: Steven Sparks - Exec Admin <Steven_Sparks@beaverton.k12.or.us>
Sent: Monday, April 29, 2019 2:27 PM
To: Elena Sasin
Cc: Jana Fox
Subject: RE: Cedar Grove Multifamily - Cornell/Murray

Hi Elena -


I have a concern to share on this proposal. While the site has a land use designation of Town Center with the implementing zoning of Town Center - Multiple Use, the maximum density of the site is 40 units per acre. By exceeding the density, the zoning no longer implements the Comprehensive Plan designation. Therefore, how does the City believe it can approve the proposed adjustment application to exceed the density under the case law standard established by Baker v. City of Milwaukie? I rather not raise this to the Planning Commission but may have to do so. This application will establish a process that the District cannot support since it will allow residential development to exceed the densities that are in the Comprehensive Plan upon which we have based our capacity formulas.

SAS

Steven A. Sparks, AICP | Executive Administrator for Long Range Planning | Beaverton School District
16550 SW Merlo Road, Beaverton, Oregon 97003-4348 | (503) 356-4449

District Goal: WE empower all students to achieve post-high school success.

From: Elena Sasin <esasin@beavertonoregon.gov>
Sent: Wednesday, April 24, 2019 10:08 AM
To: 'jrustad@thprd.org' <jrustad@thprd.org>; 'Naomi Vogel' <Naomi_Vogel@co.washington.or.us>; 'Region1_DEVREV_Applications@odot.state.or.us' <Region1_DEVREV_Applications@odot.state.or.us>; Steven Sparks - Exec Admin <Steven_Sparks@beaverton.k12.or.us>
Subject: Cedar Grove Multifamily - Cornell/Murray

 **This is from a Non-BSD Email address:** Please only click links and attachments if you are sure they are safe

Hello –

Please see the following link for a 44 unit affordable housing (CPAH) development proposed at the corner of Murray and Cornell: <https://studio.bluebeam.com/share/rd9bo5>

I apologize that this is being distributed later than usual, if you have any questions, please let me know. The Facilities Review meeting is scheduled for May 8th and the Planning Commission hearing will take place on May 29th.

Thank you,

Elena Sasin

Associate Planner | Community Development
City of Beaverton | PO Box 4755 | Beaverton, OR 97076
p: 503-526-2494 | f: 503-526-2550

www.BeavertonOregon.gov



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